



STATE OF WISCONSIN Assembly Journal

Ninety-Fifth Regular Session

9:10 A.M.

WEDNESDAY, October 17, 2001

The Assembly met in the Assembly Chamber located in the State Capitol.

Pro Tempore Speaker Freese in the chair.

The prayer was offered by Representative Owens.

Representative Gronemus led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present – Representatives Ainsworth, Albers, Balow, Berceau, Bies, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Duff, J. Fitzgerald, Foti, Freese, Friske, Gard, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hebl, Hoven, Huber, Hubler, Huebsch, Hundertmark, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kestell, Krawczyk, Kreibich, Kreuser, Krug, Krusick, La Fave, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, Leibham, Lippert, Loeffelholz, McCormick, D. Meyer, Meyerhofer, Miller, Montgomery, Morris–Tatum, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Plouff, Pocan, Powers, Reynolds, Rhoades, Richards, Riley, Ryba, Schneider, Schooff, Seratti, Sherman, Shilling, Sinicki, Skindrud, Starzyk, Staskunas, Steinbrink, Stone, Suder, Townsend, Travis, Turner, Urban, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, Young, Ziegelbauer and Speaker Jensen – 96.

Absent with leave – Representatives Sykora and Underheim – 2.

Vacancies – 42nd Assembly District – 1.

LEAVES OF ABSENCE

Representative Vrakas asked unanimous consent for a leave of absence for today's session for Representatives Sykora and Underheim. Granted.

AMENDMENTS OFFERED

Assembly amendment 1 to Assembly amendment 1 to **Assembly Bill 464** offered by Representative Staskunas.

Assembly amendment 1 to **Assembly Bill 522** offered by Representative Staskunas.

Assembly amendment 2 to **Assembly Bill 522** offered by Representative Staskunas.

Assembly amendment 1 to **Assembly Bill 576** offered by Representative Stone, by request of Governor Scott McCallum.

Assembly amendment 2 to **Assembly Bill 576** offered by Representative Staskunas.

Assembly amendment 3 to **Assembly Bill 576** offered by Representative Staskunas.

Assembly amendment 4 to **Assembly Bill 576** offered by Representative Staskunas.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 68

Relating to: the 1,700th anniversary of Armenian Christianity.

By Representatives Plale, Ladwig, Turner, J. Lehman, Kreuser, Steinbrink, Stone, Richards, Starzyk, Owens, Staskunas, Jeskewitz, McCormick, Sykora, Freese and Gundrum; cosponsored by Senators Plache, Burke, Wirsch, Grobschmidt and Rosenzweig.

To committee on **Rules**.

Assembly Bill 577

Relating to: authorizing claims under the school property tax rent credit for property taxes paid in the year before the year in which they are due and authorizing such claims, for property taxes paid, for the year to which the taxes relate.

By Representatives Stone, Ziegelbauer, J. Fitzgerald, Kestell, Meyerhofer, Black, Musser, Sykora, Carpenter, Ainsworth, Ryba, Ladwig, Gundrum, Pettis, Duff, Seratti, Gunderson, Grothman, Krawczyk, D. Meyer, Staskunas, Gard, Loeffelholz, Lippert, Plale, Ott, Nass, Jeskewitz, Vrakas, Petrowski, McCormick, Kedzie and Hahn; cosponsored by Senators Harsdorf, Schultz, Huelsman, Roessler and Darling.

To committee on **Ways and Means**.

Assembly Bill 578

Relating to: access for sheriffs and jailers to reports regarding the competency of criminal defendants.

By Representatives Leibham, Kestell, Musser, Starzyk, Ladwig, Seratti, Gunderson, Townsend, Hahn, Sykora, Owens, D. Meyer, Lippert, Ott, Petrowski and Krawczyk; cosponsored by Senators Schultz, Roessler, Huelsman, Moen, Darling, Rosenzweig and Baumgart.

To committee on **Judiciary**.

Assembly Bill 579

Relating to: certified capital investment limitations, qualified business requirements, and reviews of certified capital company financial statements.

By Representatives Ward, Lippert, Vrakas, Townsend, Hundertmark, Gronemus, Hahn, Sykora, Walker, Duff, Ladwig, Owens, D. Meyer, Krawczyk, Boyle, Olsen, M. Lehman, Miller, Staskunas, Plale, Gunderson, Ott, Balow, Colon, Starzyk, Seratti, Berceau, La Fave, Jensen, Turner, Young, Krug, Shilling, Wasserman, Williams, Freese, Suder, Kedzie, Kestell, Pettis, Richards, Huebsch, Jeskewitz, Musser and Riley; cosponsored by Senators Moore, Plache, Burke, M. Meyer, Kanavas, Erpenbach, Hansen, Wirch, Darling, George, Shibilski, Breske, Roessler, Welch, Huelsman, Schultz and S. Fitzgerald.

To committee on **Economic Development**.

Assembly Bill 580

Relating to: water quality standards for wetlands for an activity at a site in Trempealeau County and review of certain changes to shoreland, wetland, and floodplain zoning ordinances as they relate to an activity at a site in Trempealeau County.

By Representatives Gronemus, Jensen, Freese, Kreibich, Huebsch, Musser, Suder, Ziegelbauer, Plale, Steinbrink, Coggs, Kreuser and Balow; cosponsored by Senator Moen.

To committee on **Environment**.

COMMITTEE REPORTS

The committee on **Health** reports and recommends:

Assembly Bill 206

Relating to: regulation of social workers, advanced practice social workers, independent social workers, clinical social workers, marriage and family therapists, professional counselors, and art, music, and dance therapists, insurance coverage for services provided by clinical social workers, marriage and family therapists, professional counselors, granting rule-making authority, and providing a penalty.

Assembly substitute amendment 1 adoption:

Ayes: 14 – Representatives Underheim, Urban, Johnsrud, Krawczyk, F. Lasee, Lippert, Seratti, Walker, Wieckert, Wasserman, La Fave, Miller, Colon and Shilling.

Noes: 0.

Passage as amended:

Ayes: 13 – Representatives Underheim, Urban, Johnsrud, Krawczyk, Lippert, Seratti, Walker, Wieckert, Wasserman, La Fave, Miller, Colon and Shilling.

Noes: 1 – Representative F. Lasee.

To committee on **Rules**.

GREGG UNDERHEIM

Chairperson

Committee on Health

MESSAGE FROM THE SENATE

By Donald J. Schneider, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Passed and asks concurrence in:

Senate Bill 38

Senate Bill 56

Senate Bill 128

Senate Bill 157

Senate Bill 196

Senate Bill 225

Senate Bill 240

Senate Bill 244

Senate Bill 251

Senate Bill 259

ACTION ON THE SENATE MESSAGE

Senate Bill 38

Relating to: the speed limit at certain intersections marked with school crossing signs and providing a penalty.

By Senators Roessler, Darling, Erpenbach and Rosenzweig; cosponsored by Representatives Owens, Kestell, Sherman, J. Lehman, Townsend, Miller, Black, Gronemus, Jeskewitz, Pettis, Powers, Stone, Ainsworth, Olsen, M. Lehman, Hahn, Krawczyk, Lassa, Plale, Albers, Williams, Gunderson, Sykora, Walker, Vrakas and Ott.

To committee on **Highway Safety**.

Senate Bill 56

Relating to: following snowplows and providing a penalty.

By Senators Plache, Breske, Burke, Darling, Moen and Schultz; cosponsored by Representatives Ainsworth, Boyle, Freese, Huber, Krawczyk, Ladwig, Lassa, M. Lehman, J. Lehman, Lippert, Musser, Olsen, Owens, Plouff, Powers, Ryba, Starzyk, Stone, Townsend, Turner, Vrakas and Wade.

To committee on **Highway Safety**.

Senate Bill 128

Relating to: requiring health insurance policies to cover contraceptive articles and services.

By Senators Moore, Plache, Burke, Rosenzweig, Risser, Erpenbach and George; cosponsored by Representatives

Berceau, Richards, Johnsrud, Colon, Wasserman, Sinicki, Hebl, Schooff, Pocan, Young, Bock, Black, Carpenter, Krug, Miller, Turner, Boyle and Travis.

To committee on **Insurance**.

Senate Bill 157

Relating to: health insurance coverage of nervous and mental disorders, alcoholism, and other drug abuse problems.

By Senators Panzer, Robson, Rosenzweig, Grobschmidt, Roessler, Risser, Darling, Wirth, Huelsman, Erpenbach, Harsdorf, Baumgart, Burke, Moore, M. Meyer and Plache; cosponsored by Representatives Ladwig, Bock, Riley, Kreibich, Leibham, La Fave, Kestell, Coggs, Wade, Carpenter, Musser, Wasserman, Freese, J. Lehman, Ott, Schneider, Powers, Turner, Albers, Richards, Gunderson, Gronemus, Kaufert, Williams, Sykora, Boyle, Balow, Black, Miller, Ryba, Pocan, Berceau and Plouff.

To committee on **Health**.

Senate Bill 196

Relating to: state fleet management and consideration of vehicle's fuel economy and safety ratings.

By Senators Risser, Burke, Roessler and Schultz; cosponsored by Representatives Ryba, Boyle, Ott and Berceau.

To committee on **Government Operations**.

Senate Bill 225

Relating to: the authority of certain cities, villages, or towns to regulate the operation of bicycles owned by nonresidents.

By Senator Jauch; cosponsored by Representative Sherman.

To committee on **Urban and Local Affairs**.

Senate Bill 240

Relating to: designating STH 122 as the Walt Bresette Memorial Highway.

By Senators Jauch, Moore, Burke and Baumgart; cosponsored by Representatives Sherman, Stone, Plouff, Staskunas, Ryba, Young, Turner, Williams, Bies, Berceau, Coggs, Black, Miller, J. Lehman, Boyle, Lippert, La Fave, Musser, Pocan, Richards, Sykora and Bock.

To committee on **Transportation**.

Senate Bill 244

Relating to: school district use of educational technology block grants.

By Senator Erpenbach.

To joint committee on **Information Policy and Technology**.

Senate Bill 251

Relating to: various changes to the worker's compensation law.

By Senators Hansen and A. Lasee; cosponsored by Representatives Hundertmark and Turner.

To committee on **Labor and Workforce Development**.

Senate Bill 259

Relating to: the deadline for filing a tax exemption report in the city of La Crosse by a church or religious association.

By Senator M. Meyer; cosponsored by Representative Huebsch.

To committee on **Ways and Means**.

COMMUNICATIONS

October 16, 2001

John A. Scocos
Assembly Chief Clerk
One East Main Street, Suite 402
Madison, WI 53708

Dear Chief Clerk Scocos:

This letter is to respectfully request that I be added as a co-sponsor to the following Assembly Joint Resolution:

LRB-3772 (Petrowski), **Assembly Joint Resolution 67**, urging Congress to pass HR 97.

Please advise me to your action.

Thank you,
JEFF STONE
State Representative
82nd Assembly District

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Educational Communications Board
Madison

October 15, 2001

To the Honorable, the Legislature:

I am pleased to present the 1999-2001 Biennial Report of the Wisconsin Educational Communications Board (ECB), in compliance with s.15.04(1)(d), Wis. Stats.

Among the agency's recent accomplishments are these highlights:

Coordinated production of an instructional television series fostering respect for the diversity of our state, titled "Cultural Horizons of Wisconsin."

Demonstrated techniques for integrating new learning tools into Wisconsin classrooms with a televised professional training series, "Teaching Through Technology."

Expanded ECB's portfolio of online professional development services for mathematics and science educators, school superintendents and principals, to include moderated online meeting spaces for education organizations.

Operated Wisconsin Public Radio and Wisconsin Public Television as a cost-effective, efficient partnership with the University of Wisconsin Board of Regents.

Worked toward implementing the mandatory transition to digital television broadcasting in cooperation with the University of Wisconsin Board of Regents, the state Department of Administration, and Milwaukee Public Television.

Collaborated with state education agencies to sponsor the annual Governor's Wisconsin Educational Technology Conference, with a schedule of more than 175 seminars and hands-on workshops attracting approximately 1800 participants.

Forged partnerships with a greater number and variety of compatible entities that share ECB's vision and goals for serving Wisconsin residents.

In the coming biennium, ECB will continue to advance strategies for bringing people and ideas together through partnerships in telecommunications.

Sincerely,
THOMAS L. FLETEMEYER
Executive Director

Referred to committee on **Colleges and Universities**.

State of Wisconsin
State Treasurer
Madison

October 15, 2001

To the Honorable, the Legislature:

I am pleased to submit to you the 2000-2001 Biennial Report of the State Treasurer's office, pursuant to section 14.58(9), Wis. Stats.

This report contains the statement of accounts held in trust for banks, trust companies and insurance companies, statements of receipts and disbursement, participating shares of investment trusts and state cash reconciliation figures for fiscal years 2000 and 2001.

If you have any questions on this report, please contact Nicholas Voegeli, Deputy State Treasurer, at (608) 266-7982.

Sincerely,
JACK C. VOIGHT
State Treasurer

Referred to committee on **Ways and Means**.

LEAVES OF ABSENCE

Representative Vrakas asked unanimous consent for a leave of absence for part of today's session for Representative Pettis. Granted.

Representative Vrakas asked unanimous consent that the Assembly stand recessed. Granted.

The Assembly stood recessed.

9:15 A.M.

RECESS

1:33 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

Representative Pettis asked unanimous consent that his leave of absence be lifted. Granted.

LEAVES OF ABSENCE

Representative Bock asked unanimous consent for a leave of absence for part of today's session for Representative Williams. Granted.

Representative Pettis asked unanimous consent to be withdrawn as a coauthor of **Assembly Bill 536**. Granted.

Representative J. Lehman asked unanimous consent to be made a coauthor of **Assembly Bill 543**. Granted.

**SPECIAL ORDER OF BUSINESS
AT 10:01 A.M. ON WEDNESDAY,
OCTOBER 17**

Senate Bill 279

Relating to: elimination of legislative partisan caucus staffs.

POINT OF ORDER

Representative Duff rose to the point of order that Assembly amendment 1 to **Senate Bill 279** was not germane under Assembly Rule 54.

LEAVES OF ABSENCE

Representative Foti asked unanimous consent for a leave of absence for part of today's session for Representatives Hoven and Vrakas. Granted.

Representative Bock asked unanimous consent for a leave of absence for part of today's session for Representative Plale. Granted.

Representative Pocan introduced a privileged resolution.

Assembly Resolution 41

Relating to: the assignment of employees to the assembly majority party.

By Representative Pocan.
To committee on **Assembly Organization**.

Representative Pocan moved that the rules be suspended and that **Assembly Resolution 41** be withdrawn from the committee on **Organization** and taken up at this time.

Representative Seratti asked unanimous consent to make a statement.

Representative Carpenter objected.

Representative Carpenter asked unanimous consent to make a statement.

Representative Owens objected.

The Assembly stood informal.

2:25 P.M.

INFORMAL

2:45 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

Representative Hoven asked unanimous consent that his leave of absence be lifted. Granted.

Representative Plale asked unanimous consent that his leave of absence be lifted. Granted.

Representative Vrakas asked unanimous consent that his leave of absence be lifted. Granted.

Representative Krug asked unanimous consent that the Assembly stand recessed. Granted.

The Assembly stood recessed.

2:55 P.M.

RECESS

4:05 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

LEAVES OF ABSENCE

Representative Vrakas asked unanimous consent for a leave of absence for part of today's session for Representative Gard. Granted.

Assembly Resolution 41

Relating to: the assignment of employees to the assembly majority party.

The question was: Shall the rules be suspended and **Assembly Resolution 41** be withdrawn from the committee on **Organization** and taken up at this time?

The roll was taken.

The result follows:

Ayes – Representatives Balow, Berceau, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Gronemus, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, La Fave, Lassa, J. Lehman, Meyerhofer, Miller, Morris-Tatum, Plale, Plouff, Pocan, Reynolds, Richards, Riley, Ryba, Schneider, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Travis, Turner, Wasserman, Wood, Young and Ziegelbauer – 42.

Noes – Representatives Ainsworth, Albers, Bies, Duff, J. Fitzgerald, Foti, Freese, Friske, Grothman, Gunderson, Gundrum, Hahn, Hoven, Huebsch, Hundertmark, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kestell, Krawczyk, Kreibich, Ladwig, F. Lasee, M. Lehman, Leibham, Lippert, Loeffelholz, McCormick, D. Meyer, Montgomery, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Seratti, Skindrud, Starzyk, Stone, Suder, Townsend, Urban, Vrakas, Walker, Ward, Wieckert and Speaker Jensen – 52.

Absent or not voting – Representatives Gard, Sykora, Underheim and Williams – 4.

Motion failed.

Senate Bill 279

Relating to: elimination of legislative partisan caucus staffs.

RULING ON THE POINT OF ORDER

Speaker Pro Tempore Freese ruled **well taken** the point of order raised by Representative Duff that Assembly amendment 1 to **Senate Bill 279** was not germane under Assembly Rule 54.

The question was: Shall Assembly amendment 2 to **Senate Bill 279** be adopted?

The roll was taken.

The result follows:

Ayes – Representatives Boyle and Plale – 2.

Noes – Representatives Ainsworth, Albers, Balow, Berceau, Bies, Black, Bock, Carpenter, Coggs, Colon, Cullen, Duff, J. Fitzgerald, Foti, Freese, Friske, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hebl, Hoven, Huber, Hubler, Huebsch, Hundertmark, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kestell, Krawczyk, Kreibich, Kreuser, Krug, Krusick, La Fave, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, Leibham, Lippert, Loeffelholz, McCormick, D. Meyer, Meyerhofer, Miller, Montgomery, Morris-Tatum, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Plouff, Pocan, Powers, Reynolds, Rhoades, Richards, Riley, Ryba, Schneider, Schooff, Seratti, Sherman, Shilling, Sinicki, Skindrud, Starzyk, Staskunas, Steinbrink, Stone, Suder, Townsend, Travis, Turner, Urban, Vrakas, Walker, Ward,

Wasserman, Wieckert, Wood, Young, Ziegelbauer and Speaker Jensen – 92.

Absent or not voting – Representatives Gard, Sykora, Underheim and Williams – 4.

Motion failed.

The question was: Shall **Senate Bill 279** be ordered to a third reading?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 279** be given a third reading. Granted.

The question was: **Senate Bill 279** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Balow, Berceau, Bies, Black, Bock, Carpenter, Colon, Cullen, Duff, J. Fitzgerald, Foti, Freese, Friske, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hebl, Hoven, Huber, Hubler, Huebsch, Hundertmark, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kestell, Krawczyk, Kreibich, Kreuser, Krug, Krusick, La Fave, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, Leibham, Lippert, Loeffelholz, McCormick, D. Meyer, Meyerhofer, Miller, Montgomery, Morris–Tatum, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Plouff, Powers, Reynolds, Rhoades, Riley, Ryba, Schooff, Seratti, Shilling, Sinicki, Skindrud, Starzyk, Steinbrink, Stone, Suder, Townsend, Travis, Turner, Urban, Vrakas, Walker, Ward, Wasserman, Wieckert, Wood, Ziegelbauer and Speaker Jensen – 86.

Noes – Representatives Boyle, Coggs, Pocan, Richards, Schneider, Sherman, Staskunas and Young – 8.

Absent or not voting – Representatives Gard, Sykora, Underheim and Williams – 4.

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Senate Bill 279** be immediately messaged to the Senate. Granted.

Assembly Resolution 38

Relating to: the authorization by the joint committee on legislative organization for 12 assembly positions.

Representative Hubler moved reconsideration of the vote by which **Assembly Resolution 38** was adopted. Entered.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 483**, **Assembly Bill 555** and **Assembly Resolution 38** be withdrawn from the calendar of Thursday, October 18, and placed on the calendar of Tuesday, October 23. Granted.

ANNOUNCEMENTS

Representative Kreuser asked unanimous consent that the Assembly adjourn in memory of Don Meilke, a Veteran of the Korean War and a good friend to all who knew him, who passed away today. Granted.

VISITORS

During today's session, the following visitors honored the Assembly by their presence and were welcomed by the presiding officer and the members:

Julia Hasenmeyer, guest and intern of Representative Rhoades.

ADJOURNMENT

Representative Foti moved that the Assembly stand adjourned until 10:00 A.M. tomorrow.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

4:57 P.M.